



Application 09/756005  
Art Unit 3624

Date: 12/4/2004

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MAY - 4 2004

GROUP 3600

To: Dr. Geoffrey Akers

Subject: Response to your rejections because of a mistake I believe was made by the patent office.

Following your reply mailed to me on 21/1/2004, and because of a mistake I believe was made by the patent office, I would like to response to your reply and rejections. I would like to refer to the following points:

1. In your reply you have mentioned that: "No claims were amended. None were deleted. None were added."  
Along with my last response mailed to you on 23/6/2003, I attached a corrected patent application in which **all claims have been fixed**. In addition I also attached corrected drawings.  
I believe that somehow by mistake these corrections were not read by you, and this is the reason that you referred to the claims as not amended.
2. The mistake mentioned in point number 1 could be caused as a result of a previous mistake regarding the application number. Please see the "Petition to revive" attached here, which was accepted and approved by the patent office previous to this reply.
3. In your response you have also mentioned the following:  
"8. Claims 1-29 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention".  
As I mentioned, all claims have been fixed in my previous response to you, in such a way that they particularly point out and distinctly claim the subject matter which the applicant regards as the invention. For your convenience I attached a copy of the fixed patent application again and copies of other documents I sent on 23/6/2003 with it.
4. In your response you did not refer to the methods for transferring money from person to person in a special way as mentioned in the present invention (see for example claims number 9, 10, 28).

5. I would also like to mention that although Cohen mentions in his application some combinations regarding a customized credit card, these combinations do not support all the abilities that the present invention supports, and Cohen also does not support some of his own combinations in his claims.
6. for your convenience I attached again a copy of the documents which were already sent to you in my last response (and should appear in your files).
- A corrected patent application (which also include 29 corrected claims)
  - Corrected drawings
  - A copy of the office action.
  - A Petition to revive (which was already approved by the patent office) and the patent office approve to it.
  - The response to your previous reply.

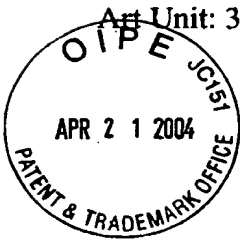
With Respect  
Dan Kabin

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OFFICE OF PETITIONS

Art Unit: 3624



**DETAILED ACTION**

***Reply to Response***

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1. This action is issued in reply to applicant's Response filed 11/20/03.
2. No claims were amended. None were deleted. None were added.
3. Claims 1-29 are pending. *→ please see my response*

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-29 are rejected under 35 USC 103(a) as unpatentable over Graves(US Pat. No:6,454,173) in view of Herman(US Pat. No:6,341,353) in view of Gephart(US Pat. No: 6,339,766) and further in view of Cohen(US Pat. No: 6,422,462).
6. As per claims 1-29 Graves teaches a smart card technology utilizing a secure intelligent electronic card to perform e-commerce purchases(Abstract) and which holds algorithms in the integrated circuit which provides a variable set up structure that can be dynamically programmed for each unique application(Abstract)(col 3 line 45-col 5 line 35)(Fig 2).Herman teaches smart receipts which electronically document a transaction and maintain a connection between parties following an online transaction(Abstract)(Figs 1-19) which can be personalized to an individual

Art Unit: 3624

buyer's preferences(Abstract) and that electronically document a transaction between parties(col 1 lines 55-col 2 line 28) which can be used to ascertain amounts spent.Gephart teaches use of a limited use account number(Abstract)(Fig 4/18/16/40) and Cohen teaches use of credit cards by cardholders only at designated vendors(Abstract)(Fig 1)(col 2 lines 31-63) which are even disposable.It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Graves in view of Herman in view of Gephart and further in view of Cohen to teach the above.The motivation to combine Graves in view of Herman is to teach an electronic means to keep track of expenditures made in the form of a smart receipt as enunciated by Herman(col 1 lines 39-45).The motivation to combine Graves in view of Herman and further in view of Gephart is to teach a system for executing electronic transactions that introduces a level of security beyond the use of tradition encryption technology as enunciated by Gephart(col 2 lines 18-30).The motivation to combine Graves in view of Herman in view of Gephart and further in view of Cohen is to teach a system for the use of disposable, customer-defined,customiozed credit cards as delineated by Cohen(col 1 lines 47-67).

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 3624

8. Claims 1-29 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

***Response to Arguments***

9. Applicant's arguments as filed have been fully considered but they are not persuasive. Graves teaches a system for interchange of information having an electronic device and an input means. It is that the device contains verification means to validate the input(col 2 lines 49-60) as well as security encryption. Virtual cards which are central to the present disclosure are well known in e-commerce applications. Cohen further teaches designating vendors. But, these vendors may also be the totality of all vendors. Cohen also teaches placing a fixed amount of money on the card which may be used independent of another credit card number(col 3 lines 49-67).

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

Art Unit: 3624

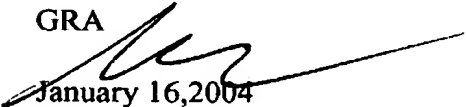
1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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11. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

GRA

  
January 16, 2004

DR. GEOFFREY R. AKERS, P.E.  
PRIMARY EXAMINER